

**U.S. DEPARTMENT OF EDUCATION  
TITLE IV NEGOTIATED RULEMAKING TEAM**

**TEAM I: LOAN ISSUES**

**Meeting Summary  
Third Session  
April 22 -23, 2002  
Washington, D. C.**

**Welcome**

The third and final negotiating session of Team I commenced at approximately 9:00 a.m. on April 22, 2002, as scheduled, and adjourned on April 23, 2002, at approximately 5:00 p.m., having completed its agenda. Negotiators for all members of Team I and both facilitators were present.

**Review and Adopt Draft Summary of March 4-5, 2002 Meeting**

The draft meeting summary was adopted with revisions. The final meeting summary will be released to the public and distributed via the listserv and the Department of Education website.

**Issue of Late Disbursements (Fed Up #35)**

Team I reviewed the draft language proposed by the Department and provided comments. The facilitators agreed to relate these comments to Team II during its April 24-26 negotiating session.

**Public Comment**

Opportunities for public comment were provided at various times throughout the meeting.

**Review of all Issues Subject to Negotiations**

The agenda for the meeting was comprised of reviewing documents previously distributed by the Department. For each issue, the federal negotiator explained each proposed regulation or Department action, which was then discussed by the negotiators. By consensus of the negotiators, the issues of Three Times Rule, 682.209(a)(7)(ii) and Reinsurance, 682.412 were removed from the negotiating agenda. Tentative agreements were achieved on all outstanding issues, and tentative agreements reached in past sessions were affirmed.

**Conclusion of the Negotiations**

The Team reached final consensus on all issues. As a result, the Department will use the consensus-based language in its proposed regulations, and team members will refrain from commenting negatively on the consensus-based language. However, the State Public Interest Research Groups retained the right to comment negatively on the issue of Perkins Loan Disbursements 674.2(b); 674.16(d)(2), for which they invoked the section of the organizational protocols that allows for a coalition partner to dissent and retain the right to comment negatively, while the rest of the coalition is part of the consensus on the issue.

The Department will prepare a preamble for the Notice of Proposed Rulemaking (NPRM). The draft preamble will be circulated to the negotiators, who may offer their input to the Department prior to its publication.

The Department thanked the negotiators for their commitment and hard work throughout the negotiations.